

Senate Study Bill 3004 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE
ON EDUCATION BILL BY
CHAIRPERSON SINCLAIR)

A BILL FOR

1 An Act relating to limitations on the immunization of children
2 for enrollment in any licensed child care center or
3 elementary or secondary school in the state and including
4 effective date provisions.
5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 139A.8, subsection 3, Code 2022, is
2 amended to read as follows:

3 3. a. Subject to the provision of subsection 4, the state
4 board of health may modify or delete any of the immunizations
5 in subsection 2.

6 b. Subject to the provisions of subsection 4, only the state
7 board of health may require additional immunizations under
8 this section on or after July 1, 2022, for enrollment in any
9 licensed child care center or elementary or secondary school.

10 c. (1) The provisions of this section and rules adopted
11 pursuant to this section shall be implemented uniformly
12 throughout the state and shall supersede and preempt any
13 local legislation adopted by a local governmental entity
14 that conflicts with any provision of this section related
15 to required immunizations of children for enrollment in any
16 licensed child care center or elementary or secondary school.

17 (2) For the purposes of this paragraph:

18 (a) "Local governmental entity" means any political
19 subdivision, or any state authority which is not the general
20 assembly or under the direction of a principal central
21 department as enumerated in section 7E.5, including a city as
22 defined in section 362.2, a county as provided in chapter 331,
23 or any special purpose district or school.

24 (b) "Local legislation" means any ordinance, motion,
25 amendment, regulation, or rule adopted by a local governmental
26 entity.

27 Sec. 2. Section 139A.8, subsection 4, paragraph b, Code
28 2022, is amended to read as follows:

29 b. The exemptions under this subsection ~~do not~~ apply in
30 times of emergency or epidemic as determined by the state board
31 of health and as declared by the director of public health.

32 Sec. 3. EFFECTIVE DATE. This Act, being deemed of immediate
33 importance, takes effect upon enactment.

34 EXPLANATION

35 The inclusion of this explanation does not constitute agreement with

1 the explanation's substance by the members of the general assembly.

2 This bill relates to vaccinations required for enrollment
3 in any licensed child care center, or elementary or secondary
4 school.

5 The bill provides that subject to medical or religious
6 exemptions, only the state board of health may require
7 additional immunizations on or after July 1, 2022, for
8 enrollment in any licensed child care center or elementary or
9 secondary school. The bill also requires that the provisions
10 of the Code section and rules adopted pursuant to the Code
11 section shall be implemented uniformly throughout the state and
12 shall supersede and preempt any local legislation adopted by a
13 local governmental entity that conflicts with any provision of
14 the Code section related to required immunizations of children
15 for enrollment in any licensed child care center or elementary
16 or secondary school. The bill defines "local governmental
17 entity" and "local legislation" for the purposes of the bill.

18 The bill also provides that the medical and religious
19 exemptions for required vaccinations apply in times of
20 emergency or epidemic as determined by the state board of
21 health and as declared by the director of public health.

22 This bill takes effect upon enactment.